

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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HC2, INC.,	:	
	:	Civil Action No.: 1:20-cv-3178
	:	
Plaintiff,	:	
	:	
	:	
-v-	:	
	:	
	:	
ANDREW DELANEY,	:	
	:	
	:	
Defendant.	:	
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**ORDER TO SHOW CAUSE FOR TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

Upon the Court's consideration of the application by Plaintiff, HC2, Inc. ("HC2"), seeking a temporary restraining order and preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure, the Verified Complaint, Memorandum of Law, and other submissions submitted herewith, and this Court having determined that good and sufficient reasons exist to proceed by way of Order to Show Cause, it is hereby:

**ORDERED** that the Defendant appear and show cause on the \_\_\_\_ day of \_\_\_\_\_, 2020, before the United States District Court for the Southern District of New York, Hon. \_\_\_\_\_, in the United States Courthouse, located at \_\_\_\_\_, New York \_\_\_\_\_, at \_\_\_\_\_, or as soon thereafter as counsel can be heard, why an Order should not be entered provisionally granting, pending a final determination of this action or further Order of this Court, a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure:

1. Preliminarily enjoining and restraining the Defendant from:

- (i) Continuing to possess and not return any and all Project documents he acquired while employed with HC2;
- (ii) In any way disclosing, disseminating revealing or continuing to disclose, disseminate or reveal any information he acquired during the Project; and
- (iii) Filing, or causing to be filed, on this Court's public docket any document that discloses, disseminates, or reveals information acquired during the Project; and

(b) ordering Delaney:

- (i) To provide an accounting of all documents, material or other Confidential Information, or copies thereof, that he has retained from the Project, including but not limited to any and all emails or text messages containing Confidential Information in form or substance, photographs or screenshots of Confidential Information, and any notes or other records he may have made; and
- (ii) To return, within 24 hours, any and all documents, files, property, and/or data he acquired from, or otherwise belonging to HC2, the Law Firm Customer, or the Corporate Client.

2. Granting such other relief as the Court deems equitable and just.

And it is further **ORDERED** that pending further hearing on this Order to Show Cause, Defendant is temporarily enjoined from:

- a) In any way disclosing, disseminating, revealing or continuing to disclose, disseminate, or reveal any information he acquired during the Project; and
- b) Filing, or causing to be filed, on this Court's public docket, any document that in any way, directly or indirectly, discloses, disseminates, or reveals information acquired during the Project.

Defendant shall file and serve a written response to this Order to Show Cause and proof of service by \_\_\_\_\_, 2020.

The Plaintiff must file and serve any written reply to the Defendant's opposition to the Order to Show Cause by \_\_\_\_\_, 2020.

A copy of this Order to Show Cause, Verified Complaint, supporting affidavit, declaration and Memorandum of Law submitted in support of this application, together with a summons, shall be served upon the Defendant within \_\_\_\_\_ days of the date hereof, in accordance with Rule 4 of the Federal Rules of Civil Procedure.

The Plaintiff must file with the court its proof of service of the pleadings and supporting documents on the Defendant on or before 5 p.m. on \_\_\_\_\_, 2020 or no later than \_\_\_\_\_ days before the return date.

**SO ORDERED.**

Dated: April \_\_\_\_\_, 2020

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United States District Court Judge